

CGB-CC-1062 To: Federal Communication Commission

Video Programming Accessibility

To: WFBX-Florence, S.C., MYTV-Charleston, SC, WYCW-Greenville, SC

Received & Inspected

OCT 26 2010

FCC Mail Room

Subject: "Request for Waiver" CIMS00002802856 EXEMPTIONS FROM CLOSED CAPTIONING RULES

Faith At Work Ministry, Inc. (501©3), pursuant to Section 79.1(f) (1) of the Commission's rules and Section 713 (d) (3) of the Communications Act of 1934, as amended (the "Act") / hereby requests a waiver of Section 79.1(b) of the Commission's rules requiring video programming distributors to provide closed captioning of their programming.

Faith At Work Ministry, Inc offers a television ministry to several local broadcast stations and cable companies for the spiritual benefit of the community. The ministry is supported by donations from friends of the ministry and cannot afford the weekly cost of closed captioning. Volunteer editors and production people have only a few hours during the week to devote to the television ministry.

Section 79.1(f) (1) of the Commission's rules and Section 713 (d) (3) of the Act provides that exemptions from the captioning rules may be granted upon finding that the closed captioning requirements will result in an "undue burden." Section 79.1 (f) (2) of the Rules and Section 713 (e) of the Act define undue burden as "significant difficulty or expense." In the case of Faith At Work Ministry, Inc., we would suffer both significant difficulty and extreme expense under the burdens of the closed caption rules.

Section 79.1 (f) (2) of the Commission's Rules and Section 713 (e) of the Act establish four factors to be considered in an undue burden analysis:

- i. The nature and cost of the closed captions for the programming;
- ii. The impact on the operation of the provider or program owner;
- iii. The financial resources of the provider or program owner; and
- iv. The type of operations of the provider or program owner.

Under Section 79.1 (f) 2 (i): Closed captioning services are not available locally, requiring the produced video programming to be sent to an outside service for encoding. The cost of the service is unknown.

Under Section 79.1 (f) 2 (ii): Once post production is complete each week, additional time would be required to apply closed captioning, delaying the transmission of the programs to the public.

Under Section 79.1 (f) 2 (iii): Our television ministry relies solely on donations from the friends of the ministry, which varies from week to week.

Under Section 79.1 (f) 2 (iv): The ministry utilizes donated equipment and software to provide the television ministry.

In view of the foregoing, Faith At Work Ministry, Inc. respectfully requests that a waiver of the closed captioning requirements for its church services and programming be granted.

Sincerely,


W Carey Hedgepeth

Founder And President
Faith At Work Ministry, Inc.
(EIN 57-0836193)

Main Identity

From: "Charlotte McKellar" <charlotte@selectbroadcasting.org>
To: <careyhedge@bellsouth.net>
Cc: "Bill Crews" <bill@selectbroadcasting.org>
Sent: Wednesday, October 06, 2010 3:41 PM
Subject: FW: CIMS00002802856 - Exemptions From Closed Captioning Rules
Good Afternoon Dr. Hedgepath,

"Self-implementing exemptions operate automatically and programmers do not need to petition the FCC." See below.

Under \$3,000,000 annual revenue is a "self-implementing exemption". I don't see how anyone could dispute this. Let us know how this works out for you and if we can be of further assistance.

Look forward to meeting you.

God Bless,

Charlotte McKellar
Executive Ministry Marketing Assistant
Select Religious Broadcasting
Phone: (864)585-0470
E-mail: charlotte@selectbroadcasting.org

www.selectbroadcasting.org

-----Original Message-----

From: FCCInfo@fcc.gov [mailto:FCCInfo@fcc.gov]
Sent: Wednesday, October 06, 2010 11:30 AM
To: charlotte@selectbroadcasting.org
Subject: CIMS00002802856 - Exemptions From Closed Captioning Rules

You are receiving this email in response to your inquiry to the FCC.

Dear Ms. McKellar,

To find out about the undue burden exemption from the closed captioning rules visit the FCC's Web site at:

http://www.fcc.gov/cgb/dro/caption_exemptions.html

To obtain an exemption, you must submit a petition, which may be in the form of a letter that includes facts demonstrating that implementing closed captioning would impose a significant difficulty or expense. A summary of the petition process is provided at the FCC's web site. There is no form to fill out. Exemptions are not provided over the phone. We cannot tell you whether your petition will be granted.

*Faith at Work's
Total Annual revenue
is less than \$150,000.
W. Carey Hedgepath
864/879-3971*

10/12/2010

To review the Report and Order wherein the Commission adopted the undue burden exemption, see:

<http://www.fcc.gov/Bureaus/Cable/Orders/1997/fcc97279.txt> (paragraphs 182-205).

Self-implementing exemptions operate automatically and programmers do not need to petition the FCC. Examples include public service announcements that are shorter than 10 minutes and are not paid for with federal dollars, programming shown in the early morning hours (i.e., 2 a.m. to 6 a.m. local time), and programming that is primarily textual in nature.

There is also an exemption for non-news programming with no repeat value that is locally produced by the video programming distributor.

To see a complete list of self-implementing exemptions, go to

http://www.fcc.gov/cgb/dro/exemptions_from_cc_rules.html

Also see Section 79.1(d) of the Rules at

<http://www.fcc.gov/cgb/dro/caption.html>

You may locate a list of current undue burden exemption petitions on file with the FCC in the Commission's Electronic Comment Filing System (ECFS) in docket CG 06-181 at <http://fallfoss.fcc.gov/ecfs/>. Pursuant to the Commission's rules, the programming that is the subject of an undue burden petition is considered to be exempt while the undue burden petition is pending.

Representative Number : TSR54